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UNITED STATES DISTRICT COURT

MAR - 1 2016

*MS*

WESTERN DISTRICT OF LOUISIANA

TONY R. MOORE, CLERK  
WESTERN DISTRICT OF LOUISIANA  
LAFAYETTE, LOUISIANA

LAFAYETTE DIVISION

STEPHANIE DEJEAN

\*

CIVIL ACTION NO. 14-2568

VERSUS

\*

JUDGE DOHERTY

COMMISSIONER OF SOCIAL  
SECURITY

\*

MAGISTRATE JUDGE WHITEHURST

**JUDGMENT**

This matter was referred to United States Magistrate Judge Carol B. Whitehurst for Report and Recommendation. After an independent review of the record, and noting the absence of any objections, this Court concludes that the Report and Recommendation of the Magistrate Judge is correct and adopts the findings and conclusions therein as its own.

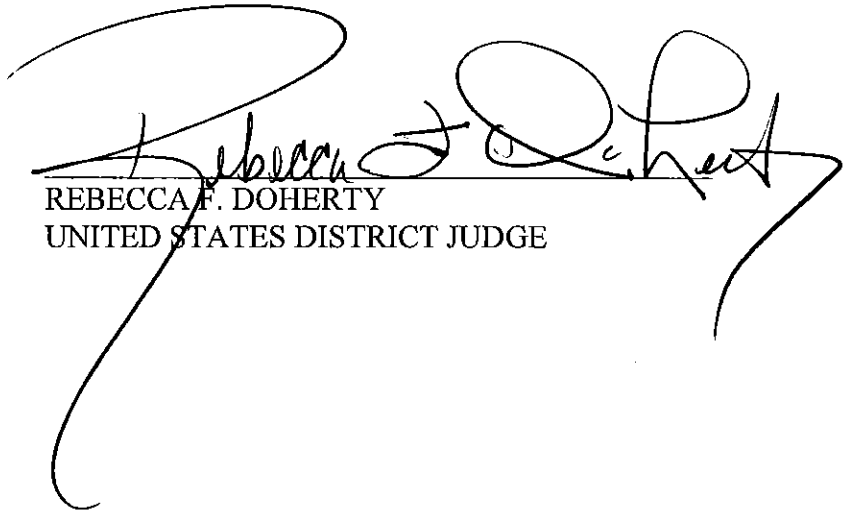
Accordingly, IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the Commissioner's decision is REMANDED to the Commissioner for further administrative action pursuant to the fourth sentence of 42 U.S.C. § 405(g).<sup>1</sup> This includes, but does not limit, sending the case to the hearing level with instructions to the Administrative Law Judge to sent claimant for a consultative examination regarding her knee impairments and rheumatoid arthritis and to consider the side effects of her medications in the residual functional capacity assessment. Claimant shall be afforded the opportunity to submit additional evidence and to testify at a supplemental hearing.

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<sup>1</sup>A fourth sentence remand constitutes a "final judgment" that triggers the filing period for an EAJA fee application. *Shalala v. Schaeffer*, 509 U.S. 292, 113 S.Ct. 2625, 2631 (1993); *Freeman v. Shalala*, 2 F.3d 552 (5<sup>th</sup> Cir. 1993).

THUS DONE AND SIGNED in Lafayette, Louisiana, this 1 day of March,

2016.



REBECCA F. DOHERTY  
UNITED STATES DISTRICT JUDGE